

Minutes
Town of Lake Park, Florida
Town Commission Meeting
January 7, 2004 7:30 p.m.
Town Commission Chambers, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, January 7, 2004 at 7:30 p.m. Present were Mayor Paul Castro, Vice-Mayor G. Chuck Balias, Commissioners Garretson, Longtin and Otterson, Town Manager Doug Drymon, Town Attorney Thomas Baird and Town Clerk Carol Simpkins.

Mayor Castro called the Meeting to order at 7:30 p.m.

Mayor Castro gave the Invocation.

Commissioner Garretson led the Pledge of Allegiance.

Deputy Town Clerk Stephanie Thomas performed the Roll Call.

ADDITIONS/DELETIONS

Items pulled from the Agenda:

F-1: CRIME PREVENTION VIDEO

K-6: ORDINANCE NO. 03-2004

MOTION: A motion was made by Commissioner Longtin to approve the January 7, 2003 Regular Commission Meeting Agenda as amended; Vice Mayor Balias seconded the motion.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balias	X		
Mayor Castro	X		

Motion passed 5-0.

PUBLIC COMMENT:

Sonia Sherrod, 451 Flagler Boulevard, concerned about the Lake Park Police Department returning due to the lack of traffic enforcement in the Town of Lake Park since its departure.

Jim Knox, 414 Lakeshore Drive, "There has been a misunderstanding about the- " Mayor Castro- "This isn't a presentation is it"?"

Jim Knox- "No, This is not a presentation. Happy New Year everyone, I think it was November 8th, the first meeting in November 2002 when I presented the proposed rate for the Marina on behalf of the Marina Board. I proposed eleven dollars overall length, 30foot minimum slips and overall length of eleven dollars. Hoa had a PowerPoint presentation here and we had the ATM software program in. Our Mayor said to punch in twelve dollars and let's see what that looks like. Then all the numbers changed and the profit structure and lines changed. Now, let's put in thirteen dollars and everything changed again, looking prettier, rosier and more profitable. Then someone suggested, let's try fourteen dollars and boy, profits and everything just looked great but when we got to that point, I stood up out of my seat because you had just raised my rent to One thousand dollars a month. Anyway, the rate was approved at fourteen dollars so I sat back down because it did not go to fifteen dollars. The rate was approved at fourteen dollars per overall foot of the vessel. The language was overall length. That's OAL. The performa statement was incorrect when it stated slip size. So you think that for a forty foot slip you will get forty feet times fourteen dollars for the rent. In reality, you charge for a vessel overall length and we're not talking at the waterline; we're talking about the anchor and anything that hangs over the boat including the dive platform. You charge for the overall length and you charge by fourteen feet. After that meeting in December you posted that on the Town Marina website. So for over a year now, it's been advertised at fourteen dollars a foot, thirty foot minimum slip size. So that means if someone wants to put a twenty foot boat in a thirty foot slip, too bad they have to pay for thirty feet. If they want to put a twenty seven or twenty eight foot boat in a thirty foot slip they have to pay for thirty feet, if they have a thirty two foot boat, if the Marina Manager approves an oversized boat to go at the end of the slips, where there is no traffic to endanger anyone. He pays fourteen dollars by thirty two feet. I do not know who made the mistake. You all might have caused the misunderstanding, I may have caused the misunderstanding, the Marina Board may have caused it, the point is there was a misunderstanding and if you want to, you can blame me for it. I don't know if it was me or not. I don't think so because my whole presentation in that November of 2002 was based upon the overall length. You all went up to fourteen, profit picture went great. We advertised on the website that the rate would be the rate. In March 2002, at the boat show, we had signs and brochures made. We advertised that rate once again when we mailed out a letter advertising that same rate that had been approved by Jason Nu-".

Mayor Castro- "Why would you mail out a letter? Who authorized that"?"

Jim Knox- "The letter was approved by Jason Nunemaker, sir. I think he brought it up at a meeting in April a month before I left town. In August of 2003, I did what Jason

Nunemaker asked me to do. I went to the then Town Manager and current Town Manager, Mr. Drymon giving him a draft of the letter asking for the deposits of people that had been waiting for four years to get a slip in that Marina. Everybody said we've got two hundred and twenty six people that want thirty foot slips I say, money talks and everyone else blows in the wind. You wait until that Marina opens and then call these people and see how many people show up. Why be disappointed. Why not have them sign a lease and agree to all the rules and regulations a month before the Marina opens. Before they even bring their vessel in. You'll have a deposit, know who is coming to the hotel that night, don't wait until they walk in to rent the room."

Mayor Castro- "You are running out of time".

Jim Knox- "Sorry. In September, we sent out a letter approved by the Town Attorney and Town Manager out to two hundred and twenty six people. Between September and December we have collected a number of deposits. That's about thirty three deposits. The Marina is about one third of the way rented at this time. These people have put up a deposit-"

Mayor Castro- "That's the problem. Why were deposits taken before the rates were established?"

Jim Knox- "The rates had been established a year before the deposits were asked for"

Mayor Castro- "No one ever authorized this."

Commissioner Longtin- "Yes, this was authorized by the Town Manager".

Mayor Castro- "No. At the last meeting there was a discussion of why leases have been taken."

Commissioner Longtin- "Yes, but that was way after the fact. I have to say that I agree with Mr. Knox. He's got a point."

Jim Knox- "I have a way out of this misunderstanding. I have been informed by staff that the marina lease was approved on December 17, 2003, here's my idea. "

Mayor Castro- "You need to meet with the Town Manager. This is not the time for presentations."

Jim Knox- "I know, but I'm trying to help you."

Mayor Castro- "Yes, but this is not the time for that."

Jim Knox- "But tomorrow Cindy is going to have to start mailing back deposits to these people. I believe that the Town Manager has received this information and it should have been included in your agenda packages."

Mayor Castro-“You have to meet with the Town Manager. I am not prepared for this. This is not an Agenda Item or presentation. This is Public Comment”.

Vice Mayor Balius-“What is this deal about mailing checks back”?

Jim Knox- “This Town has advertised a rate for over a year and now it’s something different. Now the people want their money back. According to the letter that was approved by the Town, they can have their money back.”

Commissioner Longtin-“Well, that’s their prerogative. Others will come.”

Jim Knox-“I’m a sales and marketing guy and I if I run a hotel and I’ve got a hundred and one rooms to rent out, I’m not gonna build it and wait for people to show up.”

Commissioner Longtin-“I understand that, but you have to get with the Town Manager and just so the Town Manager understands, I do agree with this. If we have advertised a rate for a year, which I’m sure we have, but according to the advertisements the rate may change in September 2004. What are we to do, bombard these people”?

Jim Knox-“”I have met with the Town Manager. Tonight, hopefully you will award a contract on the Marina building, we’ll call it. I hope everything will go well there. If that happens, according to that contract the winner of the contract will have forty five days to play around with this. Get the permit, redesign and take care of problems. They have a hundred and fifty days to substantially complete the project and an additional thirty days to fully complete the project. Which means the Marina building will be open on August 19, 2004. The flyer says that September 29th-“

Mayor Castro- “You need to have a seat. You should start calling the Commission before you come to a meeting and try to do this. You need to call the Town Manager to get this on the Agenda.”

Vice Mayor Balius-“He called me”.

Commissioner Otterson-“He called me”.

Vice Mayor Balius-“I would think that if this is an Agenda item, we should not have to add Mr. Knox’s comments to the Agenda.”

Mayor Castro- “I asked him if this was an Agenda item or not and he stated that it is not, so anyway moving on to the next person for public comment”..

Bert Bostrom, 1451 Flagler Boulevard, informed the public there would be a soccer game on Sunday, January 11, 2004. She asked that everyone support the children.

CONSENT AGENDA

Commission Meeting Minutes from December 3, 2003.
Commission Meeting Minutes from December 17, 2003.

There was consensus from the Town Commission to make Mayor Castro's comments from the Commission Meeting of December 3, 2003 to be amended to reflect as a directive for staff to look into funding for a shift commander for all three shifts and a self paid motor man for traffic enforcement,

MOTION: A motion was made by Commissioner Garretson to approve the consent agenda. Commissioner Longtin made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

Public Hearing (s)

ORDINANCE ON FIRST READING/APPROVAL

ORDINANCE NO. 01-2004

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, REPEALING ARTICLE II, SECTION 32-59 OF THE TOWN CODE PERTAINING TO THE NORTHLAKE BOULEVARD OVERLAY ZONING DISTRICT; AMENDING ARTICLE II, SECTION 32-23 (16) TO ELIMINATE THE REFERENCE TO THE NORTHLAKE BOULEVARD OVERLAY ZONING DISTRICT; AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF LAKE PARK TO DELETE ALL REFERENCES TO THE NORTHLAKE BOULEVARD OVERLAY ZONING DISTRICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: A motion was made by Vice Mayor Balius to approve **ORDINANCE NO. 01-2004** and for it to go before the **Planning and Zoning board** before the second reading. **Commissioner Longtin** made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

ORDINANCE NO. 02-2004

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 8, ARTICLES II AND III, OF THE TOWN CODE CHANGING THE NAME OF THE MARINA DEVELOPMENT AND CONTROL BOARD TO HARBOR MARINA ADVISORY BOARD, AND ALL AMENDMENTS RELATED THERETO; PROVIDING FOR ADDITIONAL DEFINITIONS; REPEALING EXISTING RATES FOR RENTAL OF BOAT SLIPS, REPEALING LOCAL PREFERENCE FOR LEASING OF BOAT SLIPS, REPEALING RESTRICTIONS ON USE OF ELECTRICAL OUTLETS; PROVIDING FOR ADDITIONAL RULES AND REQUIREMENTS FOR USE OF THE MARINA; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Hearing opened.

The following person(s) addressed the Commission.

Mayor Castro- "Let me try to understand this a little better. We advertised a rate and then we changed the rate three or four months ago to fourteen dollars no matter what the size of the boat is"?

Jim Knox-"I have a timeline here. In November 2002 we advertised one rate and in December of 2002 we posted the rate of over length on our website. The misunderstanding was you guys were thinking about the size of the slip or the vessel or whichever is greater because if you have a thirty two foot boat, a man or woman has got to pay for a thirty two feet times fourteen dollars. If the Marina Manager decides that the vessel is safe and the tenant agrees he pays for a thirty foot slip he pays for thirty two

feet. If he has a twenty eight foot boat he pays for thirty feet. If he has a ten foot boat he pays for thirty feet, but if he has a forty two foot boat, and there is a forty five foot slip here, then we will try to charge him for a forty five foot slip. The first question everyone usually asks me is, when the Marina is going feet 2004. At that time, that's the official opening. So you can designate that period to another six weeks and on September 30, the rate will change and will coincide with the official Town budget, which is what Jason told me to do. When the Marina Manager comes on board he or she can meet with the Town Manager and can advise you guys and lady if you wanna charge a person who has a fifty five foot boat for sixty feet or do you want to keep them at fifty five feet. So you have six months before the rate changes to inform the people of the rate change to save face and keep everyone happy. We have sold out half of the thirty foot slips already. The deposits are in escrow. The thirty ones are paying for thirty one feet and all the others are paying for thirty feet."

Mayor Castro-"Do me a favor and call me next before you come to the meeting with this please".

"Jim Knox-"In all honesty, I found out very recently that this was something that was decided at a meeting that I missed. I got with Commissioner Longtin, Commissioner Balius and Otterson. Honestly there was not enough time to get to you. I apologize"

Mayor Castro-"I would like to hear from the Town Manager regarding some changes that he wishes to see in the Ordinance itself, and that's fine but I would like to get this resolved before we get to the meeting and secondly I think we can go ahead on first reading and have him work with the Town Attorney to work out the kinks before the second reading. I think there are some important changes. It doesn't have to be approved at second reading we can defer it again".

The pleasure of the Commission was to charge the price that was advertised until September 2004.

MOTION: A motion was made by Commissioner Garretson to approve ORDINANCE NO. 02-2004 as is. Vice Mayor Balius made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		

Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

RESOLUTIONS

RESOLUTION NO. 01-01-04

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AMENDING THE TOWN OF LAKE PARK EMPLOYEE POLICY/HANDBOOK; "SECTION 7 GENERAL OPERATING PROCEDURES," BY THE REVISION OF "ARTICLE 3 USE OF TOWN VEHICLES"

MOTION: A motion was made by Vice Mayor Balius to approve RESOLUTION 01-01-04 as is. Commissioner Garretson made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

RESOLUTION NO. 02-01-04

A RESOLUTION OF THE TOWN OF COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA SCHEDULING A PLACE OF A GENERAL ELECTION TO BE HELD ON TUESDAY, MARCH 9, 2004 FOR THE PURPOSE OF ELECTING TWO (2) COMMISSIONERS TO THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: A motion was made by Vice Mayor Balius to adopt RESOLUTION 02-01-04 as is. Commissioner Longtin made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

RESOLUTION NO. 05-01-04

A RESOLUTION OF THE TOWN OF COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AUTHORIZING AND DIRECTING THE MAYOR, ON BEHALF OF THE TOWN, TO EXECUTE AN AGREEMENT BY AND BETWEEN THE TOWN OF LAKE PARK, PALM BEACH COUNTY, THE VILLAGE OF NORTH PALM BEACH AND THE CITY OF PALM BEACH GARDENS; AND TO PROVIDE NOTICE OF THE TOWN OF LAKE PARK'S WITHDRAWAL FROM THE AGREEMENT; FOR THE PURPOSE OF EFFECTUATING THE WITHDRAWAL OF THE TOWN OF LAKE PARK FROM THE AGREEMENT AND THE NORTHLAKE BOULEVARD TASK FORCE; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: A motion was made by Commissioner Longtin to adopt RESOLUTION 02-01-04 as is. Vice Mayor made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

DISCUSSION AND POSSIBLE ACTION

Dock Master Building bid award

Town Manager Drymon—"Mr. Mayor and Commissioners, on December 8, 2003, the Town opened bids for the Dock Master Design Build and the Ramp attendant building. And the low bidder is West Construction who bid in the amount of \$831,637.20. The next bidder was Ahrens Construction in the amount of \$838,271.28. Staff has reviewed each bid and recommends that the award be made to West Construction only for the Dock Master building and the Ramp Attendant Building and not award the alternate buildings. If the Commission can recall we were directed to secure alternate bids for two alternate buildings. One being a storage facility, approximately 1500 feet and the other being a shell for a possible restaurant facility, approximately 2300 square feet. You have in your packets a copy of both bids. We are recommending that the low bidder be awarded. If you have any questions I will certainly ask that you direct them to Mr. Paul Carlisle, Director of Public Works."

Commissioner Longtin—"Why not award the alternate buildings both at one time?"

Paul Carlisle Public Works Director—"In going over the bids and discussing with several of the people that had come to the Town after this bid went out. They would not recommend building it and I also would not recommend building the building because it limits who can use that building based on the way you design it and the way they can get the electrical and the plumbing in there. This is just a shell and I understand that. Some people want to build a Tiki Hut and some want to build this or that. Even our own Town has had discussions based on what this should be. We based the design criteria on the existing building. Staff feels that economically, that we go out for Request for Proposals on that building based on its usage. I think it would prudent on the Town to do it this way.

Commissioner Longtin—"Well has this been done"?

Paul Carlisle—"Not yet".

Commissioner Longtin—"This is going to be put off".

"That isn't paramount to the Marina opening. That is a business venture. I don't know if we want to step up and be a business venture. This was the request of the Commission when we started the outline of the building. There has been so much discussion about how this building will be utilized. I think it will be better as a stand alone project."

Commissioner Otterson—"I agree with you."

Vice Mayor Balius—"See my concern is an eighty thousand dollar difference here. If we go with one guy that we get the Alternate for eighty thousand dollars cheaper."

Paul Carlisle—"That leads us to another point that staff looked at in the bid. Based on the bids that we received, staff looked at balanced bids and unbalanced bids, it seemed odd to

me that both buildings were in dollar amounts of each other and when it came to the alternate building, they were very far apart based on the same criteria. That sends a red flag up for staff. We decided that the most responsive bidder was West Construction”.

Commissioner Longtin-“That’s my problem because the directive was to go out and get bids and bring them before the Commission and if you had issues, which you may have, they should have been discussed.”

Paul Carlisle-“This has always been a discussion, even at the pre-bid conference. Throughout the bid process it has always been explained to the contractors that the bids would be based on the Dock Master Design Building and the Ramp Attendant building. You don’t award bids based on Alternate buildings; they are awarded based on the known factors”.

Commissioner Longtin-“I think that there should have been more discussion before this point and you’re stating that there was no definite idea for the restaurant, but it was my understanding that we came to a decision on that. It’s always baby steps and it drives me crazy”.

Commissioner Garretson-“This is an amenity, but this is also for the Town. What can we do to push this? I think it is very important for the residents to enjoy the Marina. I would like to accelerate this and get this going”.

Paul Carlisle-“I agree but I think the directive was to build a shell. I think what we need to now, is do an RFP for a business venture based on a profit loss issue for a restaurant”

Mayor Castro-“I think what she is saying is that it should have come to us sooner. We talked specifically about the shell and the room upstairs and what it would be used for”.

Paul Carlisle-“Staff is recommending not to build the shell”.

Mayor Castro-“I agree not until we know what we are going to do with it”.

Jim Knox 414 Lakeshore Drive-“There are several people that have spoken to me and are interested in opening a restaurant at the Marina. Without speaking for the board, only for myself, I would say don’t put a shell there. You are not in the restaurant business. If someone wants to put one there, Money talks and everything else can sail away. Let them write the check and come before the Commission and state their desire for the building. When I moved here I knew that I along with other people knew that I would have to pay back five million dollars. Now, I don’t want that money spent on a shell. I think we’re going about this bidding the wrong way. You are voting on who is going to

get the bid based on the Dock Master building and the Ramp Attendant building. One company is in West Palm Beach, the other is in Lake Park. Now, there is a seven

thousand dollar difference but I would logically say let's look at the bid. The price of the shell should not be considered at the time. As a resident, I would like for the contract to be awarded to the company that is in Town. I would like for our money to stay in the Town.

Town Manager Drymon-"We need to have some type of consensus so that staff will have some direction as to what you want and they can carry out your wishes."

Vice Mayor Balias-"I agree with Mr. Knox. One building alone has a forty five thousand dollar difference. I hate to see us miss out on this. We never did determine what we wanted to have there." I would like to see the Marina open on the date scheduled".

Commissioner Garretson-"I think we should have a workshop on this so people can decide what they would like to have there. I think everything should be done at once. I think we should table this issue".

Mayor Castro-"If we table this we are going to lose time and have to go out to bid again. I think we need to move forward with the Dock Master Building in that it is an intricate part of the Marina opening. The shell can go up a year from now; it does not affect the Marina opening".

Commissioner Longtin-"I think we need to move ahead".

MOTION: A motion was made by Vice Mayor Balias to approve as recommended by staff awarding the bid based on the Dock Master Office and the Ramp Attendant building. Commissioner Otterson made the second.

Roll Call Vote:

Commission Member	Yes	No	Other
Vice Mayor Balias		X	
Commissioner Otterson	X		
Commissioner Longtin		X	
Vice-Mayor Garretson		X	
Mayor Castro	X		

Motion failed 3-2.

Richard Ahrens, 1451 Kenetic Road indicated that he attended the pre-bid conference and this issue was not mentioned. He stated that he would appeal a decision based on the

contract being awarded to West Construction if the Town awards them the alternate buildings in that West Construction was thousands of dollars more.

The pleasure of the Town Commission is to direct the Town Attorney to review the bid documents to determine if they were misleading as to if the bid would be awarded without consideration of the alternate buildings.

MOTION: A motion was made by Commissioner Garretson to defer the awarding of the bid until the next meeting. Vice Mayor Balias made the second.

Roll Call Vote:

Commission Member	Yes	No	Other
Vice Mayor Balias	X		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Garretson	X		
Mayor Castro	X		

Motion passed 5-0.

Upland Development

Paul Carlisle, Director of Public Works presented a site plan to the Commission for a new layout for the trees including sidewalks and islands.

The pleasure of the Commission was to attempt to save the trees in the islands.

Waive occupational license fee for Pride, not-for-profit organization

Jamie Gentile, Calvin, Giordano and Associates informed the Commission that there are other non-profit organizations within the Town of Lake Park, Florida which were not required to pay an occupational license fee. He indicated that PRIDE has provided the Town Commission with the necessary documentation to prove that they are a non-profit organization.

Maureen Ferrill Brickous, Chief Executive Officer, Pride Integrated Services, Inc. stated that Pride offers Driving Under the Influence (DUI) and traffic school, misdemeanor probation services.

MOTION: A motion was made by Vice Mayor Balius to approve RESOLUTION 04-01-04. Commissioner Garretson made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin		X	
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

Commissioner Longtin feels that every business should pay for an occupational license fee.

COMMENTS BY COMMISSION, TOWN MANAGER AND TOWN ATTORNEY

Mayor Castro

Expressed concern with the police services and response time for the Fire Department. He indicated that the Scooters/Motorized Vehicles Ordinance needs to be reinforced. He stated that they are illegal and dangerous.

Vice Mayor G. Chuck Balius

Inquired about the date of the Volunteer Dinner in which Town Clerk Carol Simpkins informed him that the dinner would be in the month of April. In response to a question posed by Vice Mayor Balius, Town Clerk Simpkins indicated that the Town Commission pays for the dinner from the promotional line item located in the budget.

Vice Mayor Balius stated that the Intersection blows the horn when the train approaches, and not the actual train. He specified that the train whistle stopped after dark. He requested a status of the Annexation and when the Commission would receive the monthly fire report. He stated that the sidewalks are in very bad condition in which he opined that priority should be given to high pedestrian areas. He inquired about the policing of the Lake Park Scrub area. He stated that exceptional employees should be recognized.

Commissioner Garretson

Commissioner Garretson indicated that there have been rumors of more halfway houses coming to the Town of Lake Park. He feels that the code should be amended to limit the amount of halfway houses within the Town.

Commissioner Jeanine Longtin

Concerned with the Ordinance verbiage as it pertains to vending machines and freezers. (See exhibit __) She feels that more accolades to Town Staff should be given. She suggested that a proclamation be presented to Town Clerk Carol Simpkins for her outstanding work and professionalism. She gave direction to staff to provide an update on the lien on Town property. Commissioner Longtin informed the public of the joint meeting in Palm Beach Gardens and invited everyone to attend. She indicated that the Evaluation and Appraisal Report (EAR) Workshop will be held on January 28, 2004 and expressed her hopes that all the residents will attend the workshop so that they will be involved in what is going on in their Town. She stated that the Lake Park Crime Watch Group would be meeting on Saturday, January 10, 2004. She asked that everyone attended the soccer game on Sunday, January 11, 2004.

Commissioner Longtin asked everyone becomes registered voters and to get involved in the election. Contact the Supervisor of Elections office for more information at 561-355-2650. She reminded the citizens to neuter and spade their pets. She indicated that free smoke alarms can be obtained by calling 561-734-4023. Commissioner Longtin publicly announced that there are vacancies on the Town's Volunteer Boards and to contact the office of the Town Clerk at 561-881-3311 if anyone is interested. She stated that the library needed volunteers. She provided a contact number for herself (881-3309) and thanked the citizens for attending the meeting. Website: www.lakeparkflorida.gov.

Commissioner Bill Otterson

He inquired about the senior cell phones. He opined that the City of Palm Beach Gardens has held the Town of Lake Park up for three years and they are still attempting to do so with the Target Stores project. He invited everyone to the joint meeting that will be held in the City of Palm Beach Gardens.

Town Manager J. Douglas Drymon

Town Manager Drymon requested that extra cellular phones be donated to the Palm Beach County Sheriffs Office for the use of free emergency cellular phones for seniors. He stated that he is currently interviewing for the positions Marina Manager and Community Development Director.

Town Attorney Thomas J. Baird


Informed the Commission that the mediation for the Pete Wallwork is case coming up and a summary judgment hearing in the month of January. He stated that in the event of a settlement amount the party agrees upon, then he would present it to the Town Commission.

ADJOURNMENT:

There being no further business to come before the Commission, after a motion to adjourn by Vice Mayor Balius, seconded by Commissioner Otterson, by unanimous vote, the meeting adjourned at 10:10 p.m.

Approved on this 21st day of January 2004.


Mayor Paul Castro


Deputy Town Clerk, Stephanie Thomas

**CITY OF PALM BEACH GARDENS
JOINT COUNCIL MEETING
PALM BEACH GARDENS AND LAKE PARK
January 8, 2004**

The January 8, 2004 Joint Council Meeting between the City Council of the City of Palm Beach Gardens, Florida, and the Town of Lake Park, Florida was called to order at 7:13 P.M. in the Council Chambers of the Municipal Complex, located at 10500 North Military Trail, Palm Beach Gardens, Florida, and opened with the pledge of allegiance.

ROLL CALL: The City Clerk called the roll and the following elected officials were found to be in attendance: Mayor Jablin, Vice Mayor Sabatello, Councilmember Clark, Councilmember Russo, and Councilmember Delgado. Vice Mayor Balius, Commissioner Longtin and Commissioner Otterson were present from the Town of Lake Park. Commissioner Garretson was absent from the meeting. Mayor Jablin reported Mayor Castro of Lake Park had called to say he would arrive shortly and to start discussion without him.

COMMENTS FROM THE PUBLIC:

There were no comments from the public.

PUBLIC HEARINGS:

Part 1 – Quasi-Judicial

Mayor Jablin announced that quasi-judicial hearings would be held on Ordinance 35, 2003 and Resolution 176, 2003 and announced the procedures to be followed. The City Clerk swore in all those intending to offer testimony on any of these cases.

Ordinance 35, 2003 – Northlake Square West Planned Unit Development. An Ordinance of the City Council of the City of Palm Beach Gardens, Florida rezoning the 5-acre portion an 8.80-acre parcel of land located on the Southwest corner of Northlake Boulevard and Congress Avenue which lies within the municipal boundaries of the City of Palm Beach Gardens, as described more particularly herein, from a zoning designation of research and light industrial park (M1) to Planned Unit Development (PUD) overlay with an underlying zoning district of general commercial (CG-1); and providing an effective date – for consideration of second reading and approval. Senior Planner Natalie Wong presented the staff presentation. Dodi Glas indicated there was no presentation from the petitioner. Councilmember Russo commented at the last meeting he attended he had expressed traffic concerns; however, since that time he had spoken with City Engineer Dan Clark who indicated he had found no concerns with the traffic through that area. Mayor Jablin declared the public hearing open and the City Clerk read Ordinance 35, 2003 by title. Hearing no comments from the public, Mayor Jablin declared the public hearing closed. Mayor Jablin called for exparte communications. Councilmember Delgado reported she had met with staff; Vice Mayor Sabatello reported he had met with staff and the petitioner, and Councilmember Clark and Mayor Jablin reported exparte conversations had been held with both staff and the petitioner. Mayor Castro clarified that the Lake Park Commissioners had had no exparte communications since the last meeting on this subject. Councilmember Delgado stated she still had had exparte communications, Mayor Jablin indicated he had not had any exparte communications since the last meeting. For the Town of Lake Park, Vice Mayor Balius made a motion to approve Ordinance 35, 2003. Commissioner Otterson seconded the motion. Motion carried by unanimous 4-0 vote. For the City of Palm Beach Gardens, Councilmember Clark made a motion to place Ordinance 35, 2003 on second reading and to approve Ordinance 35, 2003. Councilmember Delgado seconded the motion, which carried by unanimous 5-0 vote.

Resolution 176, 2003 -- Northlake Square West Planned Unit Development. A Resolution of the City Council of the City of Palm Beach Gardens, Florida approving the master development plan for Congress Plaza West on the 5-acre portion an 8.80-acre parcel of land located on the Southwest corner of Northlake Boulevard and Congress Avenue which lies within the municipal boundaries of the City of Palm Beach Gardens, as described more particularly herein, to allow for a 41,000 square-foot fitness center, a 12,389 square-foot pharmacy with a two-lane drive-through, and a 12,000 square-foot restaurant/retail building with an outdoor seating area; providing for waivers; providing conditions of approval; and providing an effective date. The City Clerk read Resolution 176, 2003 by title. Mayor Jablin declared the public hearing open. Hearing no comments from the public, Mayor Jablin declared the public hearing closed. Mayor Jablin called for exparte communications since the last meeting on this resolution. Mayor Jablin, Vice Mayor Sabatello, Councilmember Clark, Councilmember Russo, and Councilmember Delgado all reported exparte communications with staff on Resolution 176, 2003 since the last meeting. It was clarified that no vote was required by the Town of Lake Park on Resolution 176, 2003. For the City of Palm Beach Gardens, Councilmember Clark made a motion to approve Resolution 176, 2003 as amended with the amendments provided in the staff memorandum circulated today. Councilmember Delgado seconded the motion, which carried by unanimous 5-0 vote. For the Town of Lake Park, Vice Mayor Balius made a motion to approve Resolution 3-01-04. Commissioner Longtin seconded the motion, which carried by unanimous 4-0 vote. Mayor Castro noted that reading the resolution by caption was not required by the Town of Lake Park.

RESOLUTION:

Resolution 170, 2003 - Interlocal Agreement between the City of Palm Beach Gardens and the Town of Lake Park for Northlake Square East -- A Resolution of the City Council of the City of Palm Beach Gardens, Florida approving an Interlocal Agreement between the Town of Lake Park and the City of Palm Beach Gardens for the joint development review of a parcel of land located at the Southeast corner of Northlake Boulevard and Congress Avenue, as more particularly described herein; and providing an effective date. Senior Planner Natalie Wong provided a presentation on the proposed interlocal agreement. Mayor Castro indicated most of the changes made by the Palm Beach Gardens staff since the last meeting were fine, but requested clarification on what the concern was with the Town of Lake Park taking the lead in the development application when the majority of the site was within the Town of Lake Park. Discussion ensued. Mayor Castro stated for the record that the Town of Lake Park would not issue a CO for the building until the project was complete. Jurisdiction for law enforcement was discussed. Possible amendments to the proposed agreement were discussed, including addition of language to document "C" regarding the Town of Lake Park taking the lead; that in the event of changes in the site plan there would be the ability to change the interlocal agreement; and that both parties must sign off on everything including CO's. Since the Town of Lake Park had backed out of the overlay district and the City had not, language would need to properly reflect that, and all language would need to conform to the codes of each municipality. It was determined that each municipality would make changes separately at their first meeting in February. At the request of the applicant, processing of the application was discussed. Applicant indicated they understood that this item would not be scheduled for P& Z hearing until after the amendments were made to the interlocal agreement.

ADJOURNMENT:

There being no further business to discuss, the meeting was adjourned at 8:37 p.m.

APPROVAL:



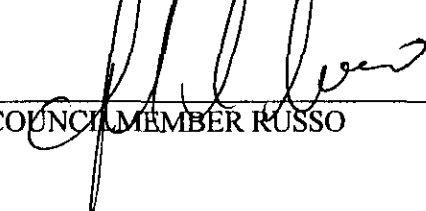
MAYOR JABLIN



VICE MAYOR SABATELLO



COUNCILMEMBER CLARK



COUNCILMEMBER RUSSO



COUNCILMEMBER DELGADO

ATTEST:



PATRICIA SNIDER
CITY CLERK

CITY OF PALM BEACH GARDENS JOINT MEETING WITH TOWN OF LAKE
PARK, 1/08/04

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APPROVAL:



MAYOR CASTRO



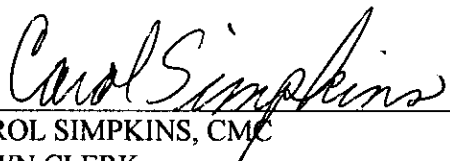
VICE MAYOR BALIUS

COUNCILMEMBER GARRETSON

COUNCILMEMBER LONGTIN

COUNCILMEMBER OTTERSON

ATTEST:



CAROL SIMPKINS, CMC
TOWN CLERK